

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-41893-2022 (O&M)

Date of decision: 13.09.2022

Sanjay Attri @ Sanjeev Sharma

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. S.S. Sodhi, Advocate for the petitioner.

Mr. I.P.S. Sabharwal, DAG Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Through the instant petition under Section 438 Cr.P.C., the petitioner seeks anticipatory bail in a complaint case No. CIS COMA/718/2021 dated 08.03.2021, titled as 'Tripta Sharma Vs. Sanjay Attri @ Sanjeev Sharma', pending before the learned Judicial Magistrate 1st Class, Patiala, as the trial Court had issued non-bailable warrants of arrest of the petitioner for 14.09.2022, vide order dated 13.6.2022.

Learned counsel for the petitioner submits that the complainant filed a complaint under Section 138 of the Negotiable Instruments Act, 1881, and had deliberately given wrong address of the petitioner in the complaint and no notice has ever been served upon the petitioner at his actual address.

Notice of motion.

On the asking of this Court, learned State counsel accepts notice on behalf of the respondent-State and submits that as the offence is bailable and the petitioner can move an application before the concerned Court for accepting bail bonds.

I have heard the learned counsel for the parties and have gone through the paper-book.

A perusal of the impugned order would show that the non-bailable warrants have been issued for want of the presence of the petitioner before the trial Court. The offence is bailable. Therefore, the petitioner can very well appear before the trial Court and if, required move an appropriate application.

In view of the above, the petition is disposed with a liberty to the petitioner to appear before the learned trial Court on 14.09.2022 and to move an appropriate application before it and on his doing so, the learned trial Court would decide the application sympathetically.

13.09.2022

Mangal Singh

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No